

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

JOSE SALDIVAR

Plaintiff(s)

V.

AMGUARD INSURANCE COMPANY

Defendant(s)

Civil Action No. 5:22-CV-00053

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* AMGUARD INSURANCE COMPANY
C/O CT CORPORATION SYSTEM
1999 BRYAN STREET, SUITE 900
DALLAS, TEXAS 75201-3136

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

CARY M. TOLAND
1201 THIRD STREET
CORPUS CHRISTI, TEXAS 78404

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Nathan Ochsner, Clerk of Court

Date: June 9, 2022



s/ Robert Tenorio
Signature of Clerk or Deputy Clerk

Civil Action No. 5:22-CV-00053

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

CAUSE NO. 5:22-CV-00053

JOSE SALDIVAR

Plaintiff,

VS.

AMGUARD INSURANCE COMPANY

Defendant,

§
§
§
§
§
§
§

IN THE UNITED STATES DISTRICT COURT

IN THE SOUTHERN DISTRICT OF TEXAS

LAREDO DIVISION COUNTY,, TEXAS

AFFIDAVIT OF SERVICE

On this day personally appeared MITCHELL DRAEGER who, being by me duly sworn, deposed and said:

"The following came to hand on Jun 13, 2022, 9:09 am,

SUMMONS IN CIVIL ACTION, PLAINTIFF'S ORIGINAL COMPLAINT AND REQUEST FOR DECLARATORY JUDGMENT, EXHIBIT A - FINAL JUDGMENT AS TO STRONGWAY, INC., EXHIBIT B - LETTER TO INSURANCE REQUESTING BOND PAYMENT, NOTICE OF LAST KNOWN ADDRESS FOR DEFENDANT, STRONGWAY, INC.,

and was executed at 1999 Bryan Street Suite 900, Dallas, Tx 75201 within the county of DALLAS at 01:15 PM on Mon, Jun 13 2022, by delivering a true copy to the within named

AMGUARD INSURANCE COMPANY BY SERVING ITS REGISTERED AGENT, CT CORPORATION SYSTEM,, BY DELIVERING IT TO TIERICA WILLIAMS, SOP INTAKE

in person, having first endorsed the date of delivery on same.

I am a person over eighteen (18) years of age and I am competent to make this affidavit. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein and they are true and correct."



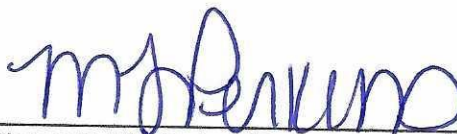
MITCHELL DRAEGER

Certification Number: PSC 7995 EXP.12-31-2023

Certification Expiration:

BEFORE ME, a Notary Public, on this day personally appeared MITCHELL DRAEGER, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are within his or her personal knowledge and are true and correct.

SUBSCRIBED AND SWORN TO ME ON JUNE 14, 2022



Notary Public, State of Texas

